

United States District CourtFILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

for the

Sep 30, 2021

SEAN F. McAVOY, CLERK

Eastern District of Washington**Petition for Warrant or Summons for Offender Under Supervision**

Name of Offender: John Earl Leland

Case Number: 0980 2:15CR00031-WFN-1

Address of Offender:

Name of Sentencing Judicial Officer: The Honorable Justin L. Quackenbush, Senior U.S. District Judge

Name of Supervisory Judicial Officer: The Honorable Wm. Fremming Nielsen, Senior U.S. District Judge

Date of Original Sentence: January 13, 2016

Original Offense: Conspiracy to Distribute 50 Grams or More of a Mixture or Substance Containing a Detectable Amount of Methamphetamine, 21 U.S.C. §§ 841(a)(1), (b)(1)(B)(viii), and 846

Original Sentence: Prison - 70 months;
TSR - 120 months

Type of Supervision: Supervised Release

Revocation Sentence: Prison - 90 days;
(07/20/2021) TSR - 9 years

Asst. U.S. Attorney: Earl Hicks

Date Supervision Commenced: September 3, 2021

Defense Attorney: J. Houston Goddard

Date Supervision Expires: September 2, 2030

PETITIONING THE COURT

To issue a warrant.

The probation officer believes that the offender has violated the following condition(s) of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
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1

Special Condition #3: You must abstain from the use of illegal controlled substances, and must submit to urinalysis and sweat patch testing, as directed by the supervising officer, but no more than 6 tests per month, in order to confirm continued abstinence from these substances.

Supporting Evidence: Mr. Leland is considered to be in violation of his conditions of supervised release by using a controlled substance, Suboxone, on or about September 25, 2021.

Due to Mr. Leland being transported directly from custody to residential treatment, he did not sign the revocation judgment ordered by the Court on July 21, 2021. However, Mr. Leland has previously reviewed his prior judgment and commitment which held him accountable for the same terms of supervised release on December 28, 2020. Specifically,

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he understood he was prohibited from using controlled substances as stated in special condition number 4.

On September 27, 2021, this officer was contacted by Mr. Leland's counselor at Pioneer Behavioral Health-East in regards to Mr. Leland admitting to the use of Suboxone on or about September 25, 2012. As a result of this noncompliant behavior and additional infractions at the facility, Mr. Leland was placed on a behavioral contract.

2 **Special Condition #1:** You must participate in an inpatient substance abuse treatment program and any recommended aftercare. You must follow the rules and regulations of the treatment program. The probation officer will supervise your participation in the program (provider, location, modality, intensity, etc.). You must pay the costs of the program if financially able.

Supporting Evidence: Mr. Leland is considered to be in violation of his conditions of supervised release by being terminated unsuccessfully from residential treatment on September 29, 2021.

Due to Mr. Leland being transported directly from custody to residential treatment, he did not sign the revocation judgment ordered by the Court on July 21, 2021. However, Mr. Leland has previously reviewed his prior judgment and commitment which held him accountable for the same terms of supervised release on December 28, 2020. Specifically, he understood he was to enter into and successfully complete inpatient treatment as stated in special condition number 1.

Due to the behavior as reported in violation number 1, and additional noncompliance with the treatment program, Mr. Leland had been placed on a behavioral contract on September 27, 2021. On September 29, 2021, this officer was contacted by the staff at the residential treatment facility who stated they were terminating Mr. Leland for continuing to break the treatment program rules, specifically, he was alleged to have smoked a cigarette in the bathroom and snuck out early for a smoke break.

The U.S. Probation Office respectfully recommends the Court issue a warrant requiring the offender to appear to answer to the allegation(s) contained in this petition.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: September 30, 2021

s/Emely Cubias

Emely Cubias
U.S. Probation Officer

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THE COURT ORDERS

- ☐ No Action
- ☒ The Issuance of a Warrant
- ☐ The Issuance of a Summons
- ☐ Other



Signature of Judicial Officer

9/30/2021

Date